

## **PART IV – REPRESENTATIONS AND INSTRUCTIONS**

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#### **M.1 52.217-5 EVALUATION OF OPTIONS (JUL 1990)**

Except when it is determined in accordance with FAR 17.206(b) not to be in the Government's best interests, the Government will evaluate offers for award purposes by adding the total price for all options to the total price for the basic requirement. Evaluation of options will not obligate the Government to exercise the option(s).

#### **M.2 EVALUATION OF PROPOSALS (NOV 2004)**

- (a) In accordance with the FAR and the DEAR, proposals will be evaluated in accordance with the evaluation criteria set forth below. Award will be made to the responsible Offeror, whose offer, conforming to this solicitation, is considered the best value to the Government, considering the evaluation criteria in this Section M.
- (b) The instructions set forth in Section L are designed to provide guidance to the Offeror concerning the documentation that will be evaluated by the Source Evaluation Board. The Offeror must furnish adequate and specific information in its response. A proposal will be eliminated from further consideration before the initial ratings if the proposal is so grossly and obviously deficient as to be totally unacceptable on its face. For example, a proposal will be deemed unacceptable if it does not represent a reasonable initial effort to address itself to the essential requirements of the RFP, or if it clearly demonstrates that the Offeror does not understand the requirements of the RFP. In the event that a proposal is rejected, a notice will be sent to the Offeror stating the reason(s) that the proposal will not be considered for further evaluation under this solicitation.
- (c) The Government intends to evaluate proposals and award a contract without discussions with Offerors (except clarifications as described in FAR 15.306(a)). Therefore, the Offeror's initial proposal should contain the Offeror's best terms for both a technical and cost standpoint.
- (d) If it is determined that discussions are necessary, a competitive range will be established and written and/or oral discussions will be conducted with all Offerors whose offers are in the competitive range. The extent of discussions with the Offerors in the competitive range will depend on the circumstances of the procurement and the Offerors' proposals as submitted. The written and/or oral discussions are intended to assist DOE in accomplishing (1) a full

understanding of the offers and their strengths and weaknesses, and (2) assurance that the solicitation provisions have been adequately understood by the Offerors. Once discussions have been held with all firms in the competitive range, all will be offered the opportunity to submit a revised proposal by a common cutoff time and date. That is, all firms will be given the opportunity to revise their offer to reflect the results of discussions. If the revised proposal is received after the established common cutoff time or date, it shall be handled in accordance with the clause entitled “Instructions to Offerors – Competitive Acquisition” in Section L. Each revised proposal shall contain the signed contract offer.

- (e) Exceptions or deviations to any terms and conditions alone will not render the proposal unacceptable; however, any exceptions or deviations to the terms of the solicitation may make the offer unacceptable for award without discussions. If an Offeror proposes exceptions to the terms and conditions of the contract, the Government may make an award without discussions to another Offeror that did not take exception to the terms and conditions of the solicitation.

### **M.3 BASIS FOR CONTRACT AWARD (NOV 2004)**

(a) The Government intends to award one contract to the responsible offeror whose proposal is determined to be technically acceptable and is determined to be the best value to the Government. Selection of the best value to the Government will be achieved through a process of evaluating each offeror’s proposal against the evaluation criteria described in the clause in Section M entitled “Technical and Business Management Evaluation Criteria.”

(b) In determining the best value to the Government, the Technical and Business Management Evaluation Criteria when combined, are significantly more important than cost. The Government is more concerned with obtaining a superior technical proposal than making an award at the lowest evaluated cost. However, the Government will not make an award at a price premium it considers disproportionate to the benefits associated with the evaluated superiority of one technical proposal over another. Thus, to the extent that Offerors’ technical proposals are evaluated as close or similar in merit, the evaluated cost is more likely to be a determining factor.

### **M.4 OVERALL RELATIVE IMPORTANCE OF EVALUATION CRITERIA (NOV 2004)**

(a) Technical and Business Management Evaluation Criteria

The Evaluation Criteria in M.4 will be point scored as described below:

<b>Evaluation Criteria</b>		<b>Weights</b>
<b>Criterion 1 – Program and Management Approach</b>		<b>500</b>
(1)	Understanding of Work and Management Approach	250
(2)	Operations Support	150
(3)	Environment, Safety, and Health	70
(4)	Partnerships	30
<b>Criterion 2 – Leadership and Organization</b>		<b>400</b>
(1)	Management Personnel	200
(2)	Organization Structure and Corporate Commitment	150
(3)	Transition Plan	50
<b>Criterion 3 – Corporate Experience and Past Performance</b>		<b>100</b>
(1)	Corporate Experience	50
(2)	Past Performance	50

(b) Cost Evaluation Criteria

Cost will neither be point scored nor adjectively rated, but will be evaluated for consistency with the technical proposal and will be used in determining which proposal represents the best value to the Government consistent with the provisions of the clause in Section M entitled “Basis for Contract Award.” Cost will be reviewed to determine reasonableness, realism, and completeness. Cost is significantly less important than the Technical and Business Management Evaluation Criteria.

**M.5 TECHNICAL AND BUSINESS MANAGEMENT EVALUATION CRITERIA (NOV 2004)**

DOE will evaluate the Offeror’s capability to successfully perform the Performance Work Statement as evidenced by the Offeror’s understanding, knowledge, and approach to requirements of the prospective contract. The subcriteria are individually weighted as reflected in the clause in Section M entitled "Overall Relative Importance of Evaluation Criteria;" however, the individual indicators which comprise the subcriteria are not listed in order of importance and will not be individually weighted. These individual indicators will be considered as a whole in developing an overall point score for each subcriterion.

(a) Criterion 1 – Program and Management Approach

- (1) Subcriterion 1a – Understanding of Work and Management Approach.  
The proposal will be evaluated on the degree the offeror demonstrates its

understanding of the various programs described in the Performance Work Statement and its understanding of managing and directing the programmatic activities of the ORISE. In addition, the proposal will be evaluated on the offeror's management approach and plans for providing these services in a quality and timely manner.

- (2) Subcriterion 1b – Operations Support. The proposal will be evaluated on its efficient use of facilities and property. This will include the offeror's plans: (i) to provide facilities and/or equipment to support the operations of ORISE; (ii) to provide adequate space for incumbent contractor employees and Government records; and (iii) for the use of Government-furnished property and facilities. The proposal will also be evaluated on the offeror's plans to implement support functions. This will include the offeror's: (i) description and capabilities of necessary management systems; (ii) approach to business operations; and (iii) details of the pay and benefits package for incumbent contractor employees that is comparable in the aggregate to their previous pay and benefits, including an actuarial certification of same.
  - (3) Subcriterion 1c – Environment, Safety, and Health. The proposal will be evaluated on the offeror's approach to ensure ES&H is included as part of the ORISE culture and operations, including capabilities in implementation of an Integrated Safety Management System at ORISE such that all workers, visitors, the public, subcontractors, and the environment are appropriately protected.
  - (4) Subcriterion 1d – Partnerships. The proposal will be evaluated on its planned use of small, small disadvantaged, woman-owned small business, HUBZone small business, veteran-owned small business, service-disabled veteran-owned small business; HBCUs, and MEIs.
- (b) Criterion 2 - Leadership and Organization
- (1) Subcriterion 2a – Management Personnel. The proposal will be evaluated on the proposed management team's capability to provide the management, leadership, and vision to effectively accomplish the mission of the ORISE. This will include consideration of the management team's: (i) qualifications, relevant experience, education, and leadership qualities of each of the proposed management personnel (Key Personnel and other first tier direct reports to the Director (or equivalent)); (ii) the ability of the proposed management personnel to work as a team; and (iii) the ability of the offeror to meet the requirements in the clause in Section H entitled "Security Clearances" pertaining to the security requirements of the proposed management personnel responsible for the operations of the REAC/TS, national security activities, and emergency management activities.

- (2) Subcriterion 2b – Organization Structure and Corporate Commitment. The proposal will be evaluated on the extent to which the offeror's organizational elements and staff are organized to effectively and efficiently plan and implement the Performance Work Statement and to which lines of authority are established to provide a seamless approach for accomplishing the work. The proposal will also be evaluated on the extent to which the offeror's corporate entity is committed to supporting this effort.
- (3) Subcriterion 2c - Transition Plan. The proposal will be evaluated on the offeror's plan for transition of the work and the workforce on the extent to which it will provide for an effective and efficient transition from the beginning of the transition period until assumption of contract responsibilities.

(c) Criterion 3 – Corporate Experience and Past Performance

- (1) Subcriterion 3(a) – Corporate Experience. The proposal will be evaluated on the offeror's prior experience that has prepared the offeror to efficiently and effectively accomplish the Performance Work Statement requirements. The proposal will be evaluated on the offeror's experience in developing partnerships with academic, research, and business/industrial communities; administering and executing principles of an integrated safety management system; accountability and maintenance of Government-owned and/or furnished facilities and equipment; achieving workforce diversity and utilizing small businesses, HBCUs, and MEIs; and resolving unanticipated problems.
- (2) Subcriterion 3(b) – Past Performance. The proposal will be evaluated on the offeror's relevant past performance to determine the extent of the offeror's success in managing work similar to that required by the Performance Work Statement and other terms and conditions of the solicitation. The Government may use any past performance information that it has available and will not restrict the evaluation to the offeror's provided proposal information. In the case of an offeror without a record of relevant past performance or for whom information on relevant past performance is not available, the offeror will be evaluated neither favorably nor unfavorably on past performance.

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